

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 1:22-CV-22671-ALTONAGA/TORRES

DELIO BATISTA,
CARLOS LOPEZ,
MARIANA LOPEZ and
RAFAELA VALIENTE,

Plaintiffs,

vs.

AVANT ASSURANCE INC.,
REINIER CORTES, AND
ANDREA GONZALEZ QUINTERO,

Defendants.

_____ /

Language proposed only by Plaintiffs is boldfaced and underlined.
Language proposed only by Defendants is boldfaced and italicized.

SPECIAL INTERROGATORIES TO THE JURY

Do you find from a preponderance of the evidence:

Delio Batista

1. That Delio Batista was an employee *covered under the FLSA as defined in 29 U.S.C. 203(e)(1)*, of:

(Please mark “YES” or “NO” for each you find was an employer):

Avant Assurance Inc.

Reinier Cortes

Andrea Gonzalez Capote _____

If you answered "YES" to one or more of the above, please answer Question 2. If you answered "NO" to all the above, please skip to Question 4.

2. That Delio Batista was exempt from the overtime pay provisions of the FLSA pursuant to the _____ exemption:

Answer "YES" or "NO" _____

If you answered "NO" to Question 2, please answer Question 3. If you answered "YES" to Question 2, please skip to Question 4.

3. That Defendants failed to pay Delio Batista the overtime wages required by law:

Answer "YES" or "NO" _____

If "Yes", in what amount _____

Please answer Question 4.

4. That Defendants failed to pay Delio Batista bonuses and/or commissions ***under their breach of contract-related counts***:

Answer "YES" or "NO" _____

If "Yes", in what amount _____

Please answer Question 5.

Carlos Lopez

5. That Carlos Lopez was an employee ***covered under the FLSA as defined in 29 U.S.C. 203(e)(1)***, of:

(Please mark "YES" or "NO" for each you find was an employer):

Avant Assurance Inc. _____

Reinier Cortes _____

Andrea Gonzalez Capote _____

If you answered "YES" to one or more of the above, please answer Question 6. If you answered "NO" to all the above, please skip to Question 8.

6. That Carlos Lopez was exempt from the overtime pay provisions of the FLSA pursuant to the _____ exemption:

Answer "YES" or "NO" _____

*If you answered "NO" to Question 6, please answer Question 7.
If you answered "YES" to Question 6, please skip to Question 8.*

7. That Defendants failed to pay Carlos Lopez the overtime wages required by law:

Answer "YES" or "NO" _____

If "YES," in what amount _____

Please answer Question 8.

8. That Defendants failed to pay Carlos Lopez bonuses and/or commissions ***under their breach of contract-related counts***:

Answer "YES" or "NO" _____

If "YES," in what amount _____

Please answer Question 9.

Mariana Lopez

9. That Mariana Lopez was an employee ***covered under the FLSA as defined in 29 U.S.C. 203(e)(1)***, of:

(Please mark “YES” or “NO” for each you find was an employer):

Avant Assurance Inc. _____

Reinier Cortes _____

Andrea Gonzalez Capote _____

If you answered “YES” to one or more of the above, please answer Question 10. If you answered “NO” to all the above, please skip to Question 12.

10. That Mariana Lopez was exempt from the overtime pay provisions of the FLSA pursuant to the _____ exemption:

Answer “YES” or “NO” _____

If you answered “NO” to Question 10, please answer Question 11. If you answered “YES” to Question 10, please skip to Question 13.

11. That Defendants failed to pay Mariana Lopez the overtime wages required by law:

Answer “YES” or “NO” _____

If “YES,” in what amount _____

Please answer Question 12.

12. That Defendants failed to pay Mariana Lopez bonuses and/or commissions ***under their breach of contract-related counts***:

Answer "YES" or "NO" _____

If "YES," in what amount _____

Please answer Question 13.

Rafaela Valiente

13. That Rafaela Valiente was an employee ***covered under the FLSA as defined in 29 U.S.C. 203(e)(1)***, of:

(Please mark "YES" or "NO" for each you find was an employer):

Avant Assurance Inc. _____

Reinier Cortes _____

Andrea Gonzalez Capote _____

If you answered "YES" to one or more of the above, please answer Question 14. If you answered "NO" to all the above, please skip to Question 16.

14. That Rafaela Valiente was exempt from the overtime pay provisions of the FLSA pursuant to the _____ exemption:

Answer "YES" or "NO" _____

*If you answered "NO" to Question 14, please answer Question 15.
If you answered "YES" to Question 14, please skip to Question 16.*

15. That Defendants failed to pay Rafaela Valiente the overtime wages required by law:

Answer "YES" or "NO" _____

If "YES," in what amount _____

Please answer Question 16.

16. That Defendants failed to pay Rafaela Valiente bonuses and/or commissions ***under their breach of contract-related counts:***

Answer "YES" or "NO" _____

If "YES," in what amount _____

SO SAY WE ALL.

Foreperson's Signature

DATE: _____